

DEPARTMENT OF SOCIAL SERVICES  
744 P Street, Sacramento, CA 95814

February 9, 1990

ALL COUNTY LETTER NO. 90-14

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: IMPLEMENTATION OF THE ORDER AND STIPULATED JUDGEMENT IN  
THE ANDERSON V. MCMAHON COURT CASEREFERENCES: ALL COUNTY LETTER (ACL) 89-80 DATED SEPTEMBER 5,  
1989  
ACL 89-99 DATED NOVEMBER 15, 1989

The purpose of this letter is to inform you that on August 22, 1989 the order and stipulated judgement in the Anderson v. McMahon case was signed and filed with the Alameda County Superior Court. A copy of the Order is attached.

Under the terms of the Stipulation and Order for Entry of Judgement filed on August 22, substantially the following language must be included in all appropriate AFDC and Food Stamp notices of action (NOA) concerning overpayments or overissuances:

"WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund."

**AFDC/OVERPAYMENTS**

The attached 12 NOA messages have been revised to include this warning statement. The completion instructions have also been revised to reflect the changes in the AFDC budget computation resulting from the Family Support Act of 1988 (ACL No. 89-80, dated September 5, 1989). These NOA messages supersede current messages and are effective January 1, 1990. They are:

M44-350A	M44-350E	M44-350F	M44-350G	M44-350H
M44-350Kt	M44-350Lt	M44-352A	M44-352C	M44-352G
M44-352H	M44-352J			

1 EVELYN R. FRANK  
2 LEGAL AID SOCIETY OF ALAMEDA COUNTY  
3 1440 Broadway, Suite 700  
4 Oakland, California 94612  
5 Telephone: (415) 465-3833

6 FRANK A. LALLE  
7 LEGAL AID SOCIETY OF SAN MATEO COUNTY  
8 298 Fuller Street  
9 Redwood City, California 94063  
10 (415) 365-8411

11 RICHARD A. ROTHSCHILD  
12 WESTERN CENTER ON LAW & POVERTY  
13 3535 West Sixth Street, 2nd Floor  
14 Los Angeles, California 90020  
15 Telephone: (213) 487-7211

16 Attorneys for Plaintiffs

17  
18 IN THE SUPERIOR COURT OF THE STATE CALIFORNIA  
19  
20 IN AND FOR THE COUNTY OF ALAMEDA

21 BRENDA ANDERSON, BARBARA POLLACK, )  
22 and JOYCE WHITE, )

23 Plaintiffs and Petitioners, )

24 v. )

No. 620039-4

25 LINDA McMAHON, Director of the )  
26 California Department of Social )  
27 Services; CALIFORNIA DEPARTMENT )  
28 JESSE R. HUFF, )  
29 Director of the California )  
30 Department of Finance; CALIFORNIA )  
31 DEPARTMENT OF FINANCE; COUNTY OF )  
32 ALAMEDA; ALAMEDA COUNTY SOCIAL )  
33 SERVICES AGENCY; JACK WEIR, )  
34 Director, Alameda County Social )  
35 Services Agency; DOES 1-10, )

36 Defendants and Respondents. )

CLASS ACTION

STIPULATION AND  
ORDER FOR ENTRY  
OF JUDGMENT

37 This action concerns a tax intercept program operated by  
38 the Department of Social Services (hereinafter "DSS") by which  
39 the Department, acting together with the county welfare  
40 departments, intercepts and retains state income tax refunds to

1 recover alleged overpayments of assistance under the Aid to  
2 Families with Dependent children ("AFDC") program and  
3 overissuances under the Foodstamp program.

4 The parties wish to settle this action without the  
5 necessity of further litigation. They therefore stipulate that  
6 judgment may be entered as follows:

7 1. Defendants have revised their pre-intercept notice.  
8 The notice is now in the form attached hereto as Exhibit 1 and  
9 incorporated herein by reference. Plaintiffs agree that the  
10 notice, as revised, is legally adequate. Their claim that the  
11 pre-intercept notice is inadequate is therefore dismissed as  
12 moot.

13 2. DSS will include substantially the following language  
14 in all AFDC and foodstamp notices of action concerning  
15 overpayments or overissuances:

16 WARNING: If you think this overpayment is wrong,  
17 this is your last chance to ask for a hearing. The  
18 back of this page tells how. If you stay on aid, the  
19 county can collect an AFDC overpayment by lowering  
20 your monthly grant. It can lower your foodstamps to  
collect an overissuance unless it was the county's  
fault. If you go off aid before the overpayment or  
overissuance is paid back, the county may take what  
you owe out of your state income tax refund.

21 DSS will submit the aforesaid language to the review process  
22 mandated under Turner v. McMahon within thirty (30) days from  
23 the date that the court signs this stipulation and order. The  
24 language will be forwarded to the counties no later than thirty  
25 (30) days after the review process is completed. Counties shall  
26 include the language in all overpayment or overissuance notices  
27 of action no later than one hundred twenty (120) days from the  
28 date of the court's order approving this stipulation.

1           3. In All County Letter 87-40 (March 18, 1987), attached  
2 hereto as Exhibit 2 and incorporated herein by reference, DSS  
3 instructed the county welfare departments to review AFDC  
4 overpayment cases involving excess resources in collection in  
5 order to determine whether the provisions of Welfare & Inst.  
6 Code §11020 and DSS' implementing regulations apply. In view of  
7 said All County Letter, plaintiffs agree that their cause of  
8 action regarding DSS' failure to apply the aforesaid statute to  
9 cases subject to tax intercept is moot, and may be dismissed  
10 with prejudice. The parties do not, by this stipulation, intend  
11 to foreclose litigation by any plaintiff or putative class  
12 member concerning any county's compliance with All County Letter  
13 87-48.

14           4. The instructions and forms which DSS issued to  
15 implement its tax intercept program for Tax Year 1988 are  
16 attached hereto and incorporated herein by reference as  
17 Exhibit 3. Beginning with tax year 1989 and thereafter DSS will  
18 advise the counties of the All County Letters which should be  
19 consulted in order to determine whether the county has a "right  
20 of recovery", as defined in Exh. 3, p. 2. This advice will be  
21 incorporated by reference in the definition of 'right of  
22 recovery'. DSS will review its advice annually and revise it as  
23 necessary. In addition, DSS will amend the form entitled  
24 "Certification of Correctness" to refer specifically to the  
25 revised definition of the right of recovery.

26           5. Unless otherwise required or permitted by federal law  
27 or regulations, DSS agrees that the tax intercept program may  
28 only be used to recover food stamp overissuances for which a

1 claim is established in Manual of Policies and Procedures §63-  
2 801.11. Plaintiffs' claim that DSS illegally offsets monies  
3 obtained through tax intercept against debts barred by the  
4 statute of limitations is dismissed with prejudice except as set  
5 forth in this paragraph.

6         6. DSS will continue to require counties to provide an  
7 administrative review upon request at any time within the  
8 calendar year in which a tax intercept occurred, in accordance  
9 with the instructions contained in Exh. 3 at p. 4. With respect  
10 to 1989 tax year intercepts and thereafter, DSS will  
11 specifically instruct the counties that they must offer an  
12 opportunity for, but may not require, a face to face  
13 administrative review. DSS shall further instruct the counties  
14 that if an administrative review is requested, the county shall  
15 determine whether there is a 'right of recovery', as defined in  
16 DSS' instructions. DSS shall require counties to provide the  
17 claimant a written notice advising of the result of the  
18 administrative review. The notice shall advise individuals of  
19 the availability of the state hearing described in paragraph 7,  
20 infra, and of the method to be used for requesting it. DSS will  
21 issue instructions and forms necessary to implement this  
22 paragraph effective for the 1989 tax year intercepts.

23         7. DSS shall provide a state hearing, conducted pursuant  
24 to Division 22 of the Manual of Policies and Procedures, to any  
25 person dissatisfied with the outcome of a county's adminis-  
26 trative review. The scope of the hearing shall be limited to  
27 whether tax intercept in the claimant's case is permitted under  
28 DSS' tax intercept instructions, including the provisions

1 governing right of recovery. The foregoing limitation on the  
2 scope of the hearing shall not apply in cases in which the  
3 claimant did not receive a timely notice at the time that the  
4 county first determined the existence of an overpayment or  
5 overissuance.

6 8. Paragraph 7 shall take effect with respect to hearings  
7 requested for offsets taking place for tax year 1989.

8 9. In order to obtain a state hearing under paragraph 7,  
9 the claimant must first exhaust the county administrative review  
10 process referred to in paragraph 6, above. This paragraph shall  
11 not apply if the claimant did not receive a timely notice at the  
12 time that the county first determined the existence of an  
13 overpayment or overissuance.

14 10. Plaintiffs' claim that DSS' policy and practice of  
15 intercepting tax refunds in order to recover AFDC overpayments  
16 which have not been adjudicated by a court or in an adminis-  
17 trative hearing conducted pursuant to Welfare & Institutions  
18 Code §10950 et seq. violates Government Code §§12419.5, 12419.8  
19 and the due process guarantees of the California Constitution is  
20 dismissed with prejudice.

21 11. Plaintiffs' claim for retroactive benefits is  
22 dismissed with prejudice.

23 12. Plaintiff Barbara Pollack's petition for a writ of  
24 mandate pursuant to CCP §1094.5 is dismissed with prejudice.

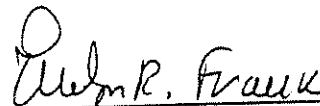
25 13. Plaintiffs' claims that foodstamp overissuances are  
26 not debts due to the state within the meaning of Government Code  
27 §12419.5, or debts due to the county within the meaning of  
28 Government Code §12419.8, are dismissed without prejudice.

1 14. Defendants shall provide plaintiffs' counsel with a  
2 draft of all notices, forms and instructions to be used in the  
3 tax intercept program for Tax Year 1989 no later than thirty  
4 (30) days prior to the time that those documents will be sent to  
5 the printer.


6 15. The parties will attempt to reach agreement on the  
7 amount of a reasonable attorneys fee award. If they are unable  
8 to do so, plaintiffs may seek a determination from the court as  
9 to whether they are entitled to such an award and as to the  
10 amount of the award, upon properly noticed motion. Plaintiffs  
11 may claim costs as part of such award, without the necessity of  
12 filing a costs bill. The court may reserve jurisdiction to  
13 enter an award of attorneys fees and costs upon such motion.

14 SO STIPULATED.

15 Dated: May 16, 1989

  
\_\_\_\_\_  
Evelyn R. Frank  
Attorney for Plaintiffs

16  
17 Dated: 5/24/89

  
\_\_\_\_\_  
Asher Rubin  
Attorney for Defendants

18  
19 IT IS HEREBY ORDERED that judgment shall be entered herein  
20 in accordance with the foregoing stipulation.

21 Dated:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

State of California  
Department of Social Services

Manual Msg. No.: M44-350A, 1of2  
Action : Change  
Reason: U/O Payment  
Title: Overpayment Adjustment

Auto ID No. : C3201A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-350.13, 44-352.411

Form No. : NA200  
Effective Date : 05/01/87  
Revision Date : 01/01/90

MESSAGE: As of \_\_\_\_\_, the County is changing your cash aid from \$\_\_\_\_\_ to \$\_\_\_\_\_. You were overpaid \$\_\_\_\_\_.

Here's why:

Your monthly aid will be reduced until the amount you owe is paid back. We will take less money out of your monthly aid payment when an overpayment is caused by a county mistake.

☐ We have decided your overpayment was caused by the county.

☐ We have decided your overpayment was not caused by the county.

If you go off cash aid before your overpayment is paid back, the county can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

The next pages show how much cash aid you should have had for each month you were overpaid, the total amount you owe, and how much will be taken out of each month's aid amount.

Your new cash aid amount is figured on this notice.

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.



State of California  
Department of Social Services

Manual Msg. No.: M44-350A, 2of2 |  
Action : Change  
Reason: U/O Payment  
Title: Overpayment Adjustment

Auto ID No. : C3201A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-350.13, 44-352.411

Form No. : NA200  
Effective Date : 05/01/87  
Revision Date : 01/01/90 |

INSTRUCTIONS: Use to notify of an overpayment and subsequent grant adjustment.

Specify the amount owed and the reason for the overpayment.

Check the correct box.

Attach the appropriate Continuation Page (NA 274 and/or NA 274B) to show the overpayment computation.

Attach the NA 275 to show the grant adjustment amount.

This message replaces M44-350A (05/16/89).

Manual Msg. No.: M44-350E, 1of2  
Action : Change  
Reason: U/O Payment  
Title: Excess Property O/P  
and Adj. (Without Good Faith)  
Form No. : NA200  
Effective Date : 05/01/86  
Revision Date : 01/01/90  
, 44-352.41, 42-207.1

Regulation Cite: 44-350.122, 44-352.116, 44-352.41, 42-207.1

Your new aid amount is figured on this notice.

State of California  
Department of Social Services

Manual Msg. No.: M44-350E, 2of2  
Action : Change  
Reason: U/O Payment  
Title: Excess Property O/P  
and (Without Good Faith)  
Form No. : NA200  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 10  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-350.122, 44-352.116, 44-352.41, 42-207.1

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to notify ongoing cases that their aid will be reduced by grant adjustment due to an excess property overpayment when the county determines there has not been good faith.

Attach message M44-350J, to show the amount of the recoupable overpayment.

Attach the NA 275, to show the grant adjustment amount.

This message replaces M44-350E (05/16/89).

State of California  
Department of Social Services

Manual Msg. No.: M44-350F, 1of2  
Action : Demand  
Reason: U/O Payment  
Title: Excess Property O/P  
(Without Good Faith)

Auto ID No. : 53

Form No. : NA290

Flow Chart No. :

Effective Date : 05/01/86

Source : Ex. Prop. O/P

Revision Date : 01/01/90

Regulation Cite: 44-352.116, 44-352.43, 42-207.1

MESSAGE:

While you were aided, you were overpaid. After the County stopped your cash aid, we found that you owe us for an overpayment. The amount of your overpayment is due now. You owe \$\_\_\_\_\_.

Here's why:

You owned property worth more than \$1,000 while you were on aid. All the cash aid you got while you owned the property is an overpayment because you knew you could not get cash aid while you owned it. Here is how we figured your countable property.

Property	Countable Value
----------	-----------------

_____	\$ _____
_____	_____
_____	_____
_____	_____

Total	
Countable Value	\$ _____

The next page shows the months you owned too much property and the total amount you owe.

The amount you owe is now due. You must pay back the money or show the County your plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order, send or bring it to:

If you pay with cash, pay in person and be sure to ask for a numbered receipt with the County name on it.

State of California  
Department of Social Services

Manual Msg. No.: M44-350F, 2of2  
Action : Demand  
Reason: U/O Payment  
Title: Excess Property O/P  
(Without Good Faith)  
Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 53  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-352.116, 44-352.43, 42-207.1

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to demand repayment of former recipients overpaid due to excess property when the county determines there has not been good faith.

Fill in the deadline date for paying or submitting a plan for repayment, the total amount owed and the county address.

Attach message M44-350J, to show the amount of the recoupable overpayment.

This message replaces M44-350F (07/01/89).

State of California  
Department of Social Services

Manual Msg. No.: M44-350G, 1of2  
Action : Change  
Reason: U/O Payment  
Title: Excess Property O/P  
Adj. (With Good Faith)  
Form No. : NA200  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 11  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-350.122, 44-352.115, 44-352.41

MESSAGE: As of \_\_\_\_\_, the County is changing your cash aid  
from \$\_\_\_\_\_ to \$\_\_\_\_\_.

Here's why:

You were overpaid \$\_\_\_\_\_.

You owned property worth more than \$1,000 while you were on aid. The  
amount of your overpayment is the amount on line C of page 3. When you  
honestly get cash aid while you have property worth more than the limit,  
we look only at the month you had the most property.

Your countable property is shown on this notice.

Here is how we figured your countable property.

Property	Countable Value
_____	\$ _____
_____	_____
_____	_____
_____	_____
Total Countable Value	\$ _____

We will adjust your monthly aid payment until the overpayment is paid  
back.

If you go off aid before your overpayment is paid back, the County can  
take action to collect.

You do not have to use any Social Security or SSI benefits you get to  
repay this overpayment.

The next pages show the month(s) you owned too much property, the total  
amount you owe, and how much will be taken out of each month's aid  
amount.

Your new aid amount is figured on this notice.

State of California  
Department of Social Services

Manual Msg. No.: M44-350G, 2of2  
Action : Change  
Reason: U/O Payment  
Title: Excess Property O/P  
Adj. (With Good Faith)  
Form No. : NA200  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 11  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-350.122, 44-352.115, 44-352.41

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to notify ongoing cases that their aid will be reduced by grant adjustment because of an overpayment due to excess property when the county has determined there was good faith.

Attach message M44-350D, as a second page to compute the amount of the overpayment.

Attach the NA 275, to show the grant adjustment amount.

This message replaces M44-350G (05/16/89).

State of California  
Department of Social Services

Manual Msg. No.: M44-350H, 1of2  
Action : Demand  
Reason: U/O Payment  
Title: Excess Property O/P  
(With Good Faith)

Auto ID No. : 56

Form No. : NA290

Flow Chart No. :

Effective Date : 05/01/86

Source : Ex. Prop. O/P

Revision Date : 01/01/90

Regulation Cite: 44-350.122, 42-207.1, 44-352.115, 44-352.43

MESSAGE:

While you were aided, you were overpaid. After the County stopped your cash aid, we found that you owe us for an overpayment. The amount of your overpayment is due now. You owe \$\_\_\_\_\_.

Here's why:

You owned property worth more than \$1,000 while you were on aid. The amount of your overpayment is the amount on line C of the next page. When you honestly get cash aid while you have property worth more than the limit, we look only at the month you had the most property. Here is how we figured your countable property.

Property	Countable Value
----------	-----------------

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Total	
Countable Value	\$ _____

The next page shows the months you owned too much property and the total amount you owe.

The amount you owe is now due. You must pay back the money or show the County your plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order send or bring it to:

If you pay by cash, pay in person and be sure to ask for a numbered receipt with the County name on it.



State of California  
Department of Social Services

Manual Msg. No.: M44-350H, 2of2  
Action : Demand  
Reason: U/O Payment  
Title: Excess Property O/P  
(With Good Faith)

Auto ID No. : 56  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-350.122, 42-207.1, 44-352.115, 44-352.43

Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to demand an overpayment due to excess property when there was good faith.

Fill in the deadline date for paying or submitting a plan for repayment, the total owed, and the county address.

Attach message M44-350D, to show the amount of the recoupable overpayment.

This message replaces M44-350H (07/01/89).

State of California  
Department of Social Services

Manual Msg. No.: M44-350Kt  
Action : Other  
Reason: U/O Payment  
Title: Retro Property O/Pay  
(Without Good Faith), No Chg  
Form No. : NA 290  
Effective Date : 03/18/87  
Revision Date : 01/01/90

Auto ID No. :  
Flow Chart No. :  
Source : Prop. O/P, ACL 87-40  
Regulation Cite: 44-352.116

MESSAGE: The county told you before about an overpayment you had. You owed \$\_\_\_\_\_. You owned property worth more than \$1,000 while you were on cash aid. Now, the rules for figuring this kind of overpayment have changed.

The new rule is:

When you honestly get cash aid while you have property worth more than the limit, we look only at the month you had the most property. Then the amount of the overpayment can be no more than the amount of the property you owned over \$1,000 for that month.

We checked the facts in your case and you do not meet the new rule.

Your total overpayment amount does not change.

The amount you owed: \$ \_\_\_\_\_

You have already paid back: - \_\_\_\_\_

You still owe: \$ \_\_\_\_\_

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use when there is no change in the amount of the overpayment because good faith was not found.

This message replaces M44-350Kt (03/18/87).

State of California  
Department of Social Services

Manual Msg. No.: M44-350Lt  
Action : Other  
Reason: U/O Payment  
Title: Retro Prop. O/P Corre-  
tion (With Good Faith)  
Form No. : NA 290  
Effective Date : 03/18/87  
Revision Date : 01/01/90

Auto ID No. :  
Flow Chart No. :  
Source : Prop. O/P, ACL 87-40  
Regulation Cite: 44-350.122, 44-352-115

MESSAGE: The county told you before about an overpayment you had. You owed \$\_\_\_\_\_. You owned property worth more than \$1,000 while you were on cash aid. Now, the rules for figuring this kind of overpayment have changed.

The new rule is:

When you honestly get cash aid while you have property worth more than the limit, we look only at the month you had the most property. Your new overpayment can be no more than the amount of the property you owned over \$1,000 for that month.

Under the new rules, the new amount you owe is: \$\_\_\_\_\_  
(See line C on the next page)

You have already paid back: -\_\_\_\_\_

You still owe: \$\_\_\_\_\_

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to notify the client that an already partially repaid overpayment has been reduced due to a finding of good faith.

Attach message M44-350D, to show the amount of the recouppble overpayment.

This message replaces M44-350Lt (03/18/87).

State of California  
Department of Social Services

Manual Msg. No.: M44-352A, 1of2  
Action : Demand  
Reason: U/O Payment  
Title: Notice of Overpayment  
and Demand  
Form No. : NA290  
Effective Date : 05/01/87  
Revision Date : 01/01/90

Auto ID No. : U3201A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.43

MESSAGE: While you were aided, you were overpaid. Though the County stopped your cash aid, you still owe us for your overpayment. The amount of your overpayment is due now.

You owe: \$ \_\_\_\_\_

Here's why:

The next page(s) shows the aid you were paid and what you should have been paid for each month of overpayment. It also shows your total overpayment.

You must pay back the money or show the County your plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order, send or bring it to:

If you pay by cash, pay in person. Be sure to ask for a numbered receipt with the County name on it.

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

If you have any questions call \_\_\_\_\_.

State of California  
Department of Social Services

Manual Msg. No.: M44-352A, 2of2 |  
Action : Demand  
Reason: U/O Payment  
Title: Notice of Overpayment  
and Demand  
Form No. : NA290  
Effective Date : 05/01/87  
Revision Date : 01/01/90 |

Auto ID No. : U3201A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.43

INSTRUCTIONS: Use to notify the client of an overpayment and demand repayment when the assistance unit (AU) is no longer on aid.

Specify the amount owed and the reason for the overpayment.  
Specify the date the payback plan must be received by the county.  
Specify the person or office and address for direct payback.  
Specify the worker name and phone number in the space provided.

Attach the appropriate Continuation Page (NA 274 and/or NA 274B) to show the overpayment computation.

This message replaces M44-352A (05/16/89).

State of California  
Department of Social Services

Manual 'sg. No.: M44-352C, 1of2  
Action : Change  
Reason: U/O Payment  
Title: Overpyament Recovery  
Form No. : NA200  
Effective Date : 05/01/87  
Revision Date : 01/01/90

Auto ID No. : C3202A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.313, 44-352.314

MESSAGE: As of \_\_\_\_\_, the County is changing your cash aid  
from \$\_\_\_\_\_ to \$\_\_\_\_\_.

This person was overpaid in another case: \_\_\_\_\_

That overpayment amount was: \$\_\_\_\_\_

Here's why:

Because the person is now a member of your family, the amount owed must  
be taken out of your aid payment.

The next page(s) shows the amount owed and what will be taken out of  
your aid payment.

You do not have to use any Social Security or SSI benefits you get to  
repay this overpayment.

Your new cash aid amount is figured on this notice.

WARNING: If you think this overpayment is wrong, this is your last  
chance to ask for a hearing. The back of this page tells how. If you  
stay on aid, the County can collect an AFDC overpayment by lowering your  
monthly grant. It can lower your food stamps to collect an overissuance  
unless it was the County's fault. If you go off aid before the  
overpayment or overissuance is paid back, the County may take what you  
owe out of your state income tax refund.

State of California  
Department of Social Services

Manual msg. No.: M44-352C, 2of2  
Action : Change  
Reason: U/O Payment  
Title: Overpyament Recovery  
Form No. : NA200  
Effective Date : 05/01/87  
Revision Date : 01/01/90

Auto ID No. : C3202A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.313, 44-352.314

INSTRUCTIONS: Use to begin grant adjustment for an overpayment from another case. In the space provided for the name:

1. Specify the name of the AU member responsible for an overpayment in another assistance unit or
2. Specify the name of an AU member who was a member of another assistance unit with an outstanding overpayment, the responsibility for which cannot be assigned.

Specify the amounts and the reason for the overpayment in the spaces provided.

Attach the appropriate Continuation Page (NA 274 and/or NA 274B) to show the overpayment computation.

Attach the NA 275 to show the grant adjustment amount.

This message replaces M44-352C (05/16/89).

State of California  
Department of Social Services

Manual 1sg. No.: M44-352G, 1of2  
Action : Demand  
Reason: U/O Payment  
Title: Demand Overpayment

Auto ID No. : U3202A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.43

Form No. : NA290  
Effective Date : 05/01/87  
Revision Date : 01/01/90

MESSAGE: While you were aided, you were overpaid. Though the County stopped your cash aid, you still owe us for your overpayment. The amount of your overpayment is due now.

Before your aid was stopped, you were paying back what you owe. The amount you still owe is \$\_\_\_\_\_.

You must pay back the money or show the County your plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order, send or bring it to:

If you pay by cash, pay in person. Be sure to ask for a numbered receipt with the County name on it.

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you go back on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. When you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

If you have any questions call \_\_\_\_\_.



State of California  
Department of Social Services

Manual Msg. No.: M44-352G, 2of2 |  
Action : Demand  
Reason: U/O Payment  
Title: Demand Overpayment

Auto ID No. : U3202A  
Flow Chart No. :  
Source : Turner  
Regulation Cite: 44-352.43

Form No. : NA290  
Effective Date : 05/01/87  
Revision Date : 01/01/90 |

INSTRUCTIONS: Use to demand repayment of the balance of an overpayment that was being recouped when the case went off aid.

Specify the balance owed.

Specify the date a payback plan must be received by the county.

Insert the name of the county person or office and the address for direct payback.

Specify the worker name and phone number in the space provided.

This message replaces M44-352G (05/16/89). |

State of California  
Department of Social Services

Manual Msg. No.: M44-352H, 1of2  
Action : Discontinue  
Reason: U/O Payment  
Title: O/P due to Excess  
Property (Without Good Faith)  
Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 12  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-352.116, 44-352.43, 42-207.1, 44-350.122,

MESSAGE: As of \_\_\_\_\_, the County is stopping your cash aid.

Here's why:

You can't get cash aid if your total countable property is more than \$1,000. Here is how we figured your countable property.

Property	Countable Value
----------	-----------------

_____	\$ _____
_____	_____
_____	_____
_____	_____

Total  
Countable Value \$ \_\_\_\_\_

All the cash aid you got while you owned the property is an overpayment because you knew you could not get cash aid while you owned it.

The next page shows the aid you were paid for each month of overpayment. It also shows your total overpayment. You must pay back the money or show the County a plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order send or bring it to:

If you pay by cash, pay in person and be sure to ask for a numbered receipt with the County name on it.

State of California  
Department of Social Services

Manual Reg. No.: M44-352H, 2of2  
Action : Discontinue  
Reason: U/O Payment  
Title: O/P due to Excess  
Property (Without Good Faith)

Auto ID No. : 12  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-352.116, 44-352.43, 42-207.1, 44-350.122,

Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

If you have any questions call \_\_\_\_\_.

INSTRUCTIONS: Use to discontinue and demand an overpayment due to excess property when there has not been good faith.

Fill in the property items and values, the deadline date for paying or submitting a plan for repayment, the total amount owed and the county address.

Attach message M44-350J, to show the amount of the recoupable overpayment.

This message replaces M44-352H (07/01/89).

State of California  
Department of Social Services

Manual Msg. No.: M44-352J, 1of2  
Action : Discontinue  
Reason: U/O Payment  
Title: O/P due to Excess  
Property (With Good Faith)  
Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 36  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-352.115, 42-207.1

MESSAGE: As of \_\_\_\_\_, the County is stopping your cash aid.

Here's why:

You can't get cash aid if your total countable property is more than \$1,000. Here is how we figured your countable property.

Property	Countable Value
----------	-----------------

_____	\$ _____
_____	_____
_____	_____
_____	_____

Total  
Countable Value \$ \_\_\_\_\_

You also owned the property while you got cash aid. You owe an overpayment for that time. When you honestly get cash aid while you have property worth more than the limit, we look only at the month you had the most property. Your overpayment amount can be no more than the amount of the property you owned over \$1,000 for that month.

The next page shows the aid you were paid for each month of overpayment. It also shows your total overpayment. The amount of your overpayment is the amount on line C of the next page.

You must pay back the money or show the County a plan for paying it back before \_\_\_\_\_. If you do not, the County can take action to collect.

You do not have to use any Social Security or SSI benefits you get to repay this overpayment.

If you pay by check or money order send or bring it to:

If you pay by cash, pay in person and be sure to ask for a numbered receipt with the County name on it.

State of California  
Department of Social Services

Manual Msg. No.: M44-352J, 2of2  
Action : Discontinue  
Reason: U/O Payment  
Title: O/P due to Excess  
Property (With Good Faith)  
Form No. : NA290  
Effective Date : 05/01/86  
Revision Date : 01/01/90

Auto ID No. : 36  
Flow Chart No. :  
Source : Ex. Prop. O/P  
Regulation Cite: 44-352.115, 42-207.1

WARNING: If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the County can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the County's fault. If you go off aid before the overpayment or overissuance is paid back, the County may take what you owe out of your state income tax refund.

INSTRUCTIONS: Use to discontinue and demand an overpayment due to excess property when there has been good faith.

Fill in the property items and values.

Fill in the date the payback plan must be submitted to the county and the county address.

Attach message M44-350D, to show the amount of the recoupable overpayment.

This message replaces M44-352J (07/01/89).

**FOOD STAMP REPAYMENT NOTICE****FINAL NOTICE**

Notice Date : \_\_\_\_\_  
 Case Name : \_\_\_\_\_  
 Number : \_\_\_\_\_  
 Worker Name : \_\_\_\_\_  
 Number : \_\_\_\_\_  
 Telephone : \_\_\_\_\_  
 Address : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(ADDRESSEE)

Questions? Ask your Worker.

**State Hearing:** If you think this action is wrong, you can ask for a hearing unless you already had a hearing on the amount you owe. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

We told you before that you must repay the extra Food Stamps that were issued to:

- ☐ You.  
☐ \_\_\_\_\_, whom you sponsor.

You still owe \$ \_\_\_\_\_.

☐ **YOU DID NOT AGREE TO REPAY:**

- You can pay in full; or
- You can repay the extra food stamps by the terms you agree to on the enclosed Repayment Agreement (DFA 377.7C).
  - Complete, sign and return the enclosed Repayment Agreement.
  - Your repayment agreement will be based on your current ability to pay as figured by the county. Any changes in your ability to pay may change your monthly payments.
- You do not have to use any Social Security or SSI benefits you get to repay this overpayment.
- If you do not agree to pay, the county may use other ways of collecting the amount owed such as through the courts.
- If the county sues you for the amount due, you may also be required to pay court costs.
- If you do not pay the amount owed, the county may take your state income tax refund and/or ask the court to attach your wages or any property you own.

**Rules:** These rules apply. You may review them at your welfare office: MS 63-801

☐ **YOU DID NOT REPAY AS AGREED:**

- You must tell us when you cannot pay as agreed. You must explain why you cannot pay. You may ask the county to figure a new repayment plan.
  - Complete, sign and return the enclosed Repayment Agreement (DFA 377.7C).
- ☐ If you are getting food stamp benefits and you do not return a new Repayment Agreement within 10 days after the date of this notice, your household's benefits will be reduced to \$ \_\_\_\_\_ beginning \_\_\_\_\_.
- If you do not pay as agreed and you do not get a new repayment plan, the county may ask that the total amount owed be paid now.
- If you do not pay as agreed, the county may use other ways of collecting the amount owed such as through the courts.
- If the county sues you for the amount due, you may also be required to pay court costs.
- If you do not pay as agreed, the county may take your state income tax refund and/or ask the court to attach your wages or any property you own.

**WARNING:** If you think this overpayment is wrong, this is your last chance to ask for a hearing. The back of this page tells how. If you stay on aid, the county can collect an AFDC overpayment by lowering your monthly grant. It can lower your food stamps to collect an overissuance unless it was the county's fault. If you go off aid before the overpayment or overissuance is paid back the county may take what you owe out of your state income tax refund.

ຄຳເຕືອນ: ຖ້າຫາກທ່ານຄິດວ່າຈຳນວນຂອງການຈ່າຍໄຫ້  
ເກີນກຳນົດນີ້ຜິດພາດນັ້ນ, ເວລານີ້ຄືໂອກາດສຸດທ້າຍຂອງ  
ທ່ານ ເພື່ອການຮອງຂໍ ສຳລັບການພິຈາລະນາຄວາມເປັນ  
ທັມ. ດ້ານຫຼັງຂອງເອກສານໜ້ານີ້ ຈະບອກເຖິງວິທີການ  
ແກ້ຫາມ. ຖ້າຫາກວ່າທ່ານ ອາສັຍຢູ່ໃນເງິນຊ່ວຍເຫຼືອ  
ຫຼື ໄດ້ຮັບເງິນຊ່ວຍເຫຼືອ, ທາງຫ່າງການປະຊາສົ່ງເຄາະ  
ສາມາດເກັບເອົາເງິນຊ່ວຍເຫຼືອ AFDC ທີ່ຈ່າຍໄຫ້ເກີນກຳ  
ນົດນັ້ນຄືນ ໂດຍການຫຼຸດຈຳນວນເງິນຊ່ວຍເຫຼືອປະຈຳ  
ເດືອນຂອງທ່ານນັ້ນລົງ. ດັ່ງດຽວກັນ, ມັນກໍສາມາດຫຼຸດ  
ຈຳນວນບັດຊື້ອາຫານ ຂອງທ່ານເພື່ອເກັບເອົາການຈ່າຍບັດ  
ຊື້ອາຫານເກີນນີ້ ນອກຈາກວ່າການຈ່າຍໄຫ້ເກີນນີ້ເປັນ  
ຄວາມຜິດຂອງທາງຫ່າງການປະຊາສົ່ງເຄາະເອງ. ຖ້າ  
ຫາກວ່າທ່ານຢຸດ ຫຼື ອອກຈາກເງິນຊ່ວຍເຫຼືອ ກ່ອນທີ່  
ຈຳນວນເງິນທີ່ຈ່າຍໄຫ້ເກີນ ຫຼື ຈຳນວນບັດຊື້ອາຫານທີ່  
ຈ່າຍໄຫ້ເກີນນັ້ນ ໄດ້ຈ່າຍຄືນໝົດ, ທາງຄາວຕົວຈິງຈະຕັດ  
ເອົາຈຳນວນທີ່ທ່ານເປັນໝື່ນຈາກເງິນພາສີຮາຍໄດ້ສົ່ງຄືນ  
ຂອງຮັດຂອງທ່ານ.

LỜI BÁO TRƯỚC: Nếu quý vị nghĩ rằng sự cấp lỗi này là sai, thì đây là dịp chót để quý vị xin một buổi thụ lý. Mặt sau của trang này có chỉ rõ cách thức. Nếu quý vị hiện còn đang hưởng trợ cấp, ty xã hội có thể thu lại khoản trợ cấp AFDC cấp lỗi bằng cách hạ thấp tiền trợ cấp hàng tháng của quý vị. Ty xã hội có thể hạ thấp số "food stamps" (trợ cấp phiếu thực phẩm) của quý vị để thu lại khoản phiếu thực phẩm cấp lỗi ngoại trừ khi sự cấp lỗi này đã do sự nhầm lẫn của ty xã hội mà có. Nếu quý vị hiện đã ra khỏi chương trình trợ cấp trước khi hoàn trả hết khoản tiền hay khoản phiếu thực phẩm cấp lỗi, ty xã hội có thể trừ trừ những gì quý vị còn thiếu nợ vào tiền thuế lợi tức của tiểu bang hoàn trả cho quý vị.



បំរាម៖ បើសិនជាលោកអ្នក គិតថាការផ្តល់ប្រាក់ជំនួយឱ្យលើស  
នេះខុស នេះគឺជាឱកាសជាចុងក្រោយរបស់លោកអ្នក ក្នុងការស្នើ  
សុំសេចក្តីបំភ្លឺមួយ ។ នៅខាងខ្នងនៃទំព័រនេះ មានជំរាបលោកអ្នក  
អំពីរបៀប ។ បើសិនជាលោកអ្នកកំពុងទទួលជំនួយ ខណ្ឌអាចទាម  
ទារការផ្តល់ប្រាក់ជំនួយដល់គ្រួសារមានកូនក្នុងបន្ទុក(AFDC) ឱ្យ  
លើសនេះ ដោយការបន្ថយប្រាក់ជំនួយប្រចាំខែរបស់លោកអ្នក ។  
លើកលែងតែការឱ្យលើសនេះគឺជាកំហុសរបស់ខណ្ឌ បើមិន  
ដូច្នោះទេ ខណ្ឌអាចបន្ថយជំនួយប័ណ្ណទិញម្ហូប (Food Stamps) របស់  
លោកអ្នក ដើម្បីកាត់កងចំពោះការចេញប័ណ្ណទិញម្ហូបឱ្យលើសបាន  
។ បើសិនជាលោកអ្នកឈប់ទទួលជំនួយនៅមុនពេល ប្រាក់ជំនួយឬ  
ប័ណ្ណទិញម្ហូបផ្តល់ឱ្យលើស ត្រូវបានសងរួច ខណ្ឌអាចកាត់យកចំនួន  
ដែលលោកអ្នកជំពាក់ ពីប្រាក់ពន្ធដាររដ្ឋដែលត្រូវសងមកឱ្យ  
លោកអ្នកវិញនោះ ។

警告：假如你認為這筆超額付款是錯誤的話，這  
是你要求聽證的最後一次的機會。本頁反面告訴  
你怎樣進行。假如你繼續領取補助的話，郡政府  
可以透過減少你的每月補助追討AFDC 超額付款。  
假如這不是郡政府的錯誤的話，它可以減少你的  
糧食券以追討此超額發放。假如你在償還超額付  
款或超額發放以前，不再領取補助的話，郡政府  
可以從你的州政府所得稅退稅中拿取你所欠的款  
項。

ADVERTENCIA: Si usted cree que este pago excesivo está equivocado, esta es su última oportunidad para pedir una audiencia. En el reverso de esta hoja se le explica cómo hacerlo. Si continúa recibiendo asistencia, el condado puede cobrar un pago excesivo de AFDC rebajando su pago mensual. A menos que sea culpa del condado, éste puede rebajar sus estampillas para comida para cobrar una emisión excesiva. Si deja de recibir asistencia antes que se reembolse el pago excesivo o la emisión excesiva, el condado puede tomar lo que usted deba, de su devolución de impuestos del estado sobre los ingresos.